

UNITED STATES DISTRICT COURT  
for the

Eastern District of North Carolina

United States of America

v.

Johnny Edward Byrd Jr.

)

Case No: 4:09-CR-106-1H

)

USM No: 53262-056

Date of Original Judgment: November 8, 2011

)

Date of Previous Amended Judgment:

)

(Use Date of Last Amended Judgment if Any)

Debra Graves

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 33 months is reduced to 29 months\*

\*On Count 4. Count 3 remains unchanged at 60 months, consecutive to Count 4.

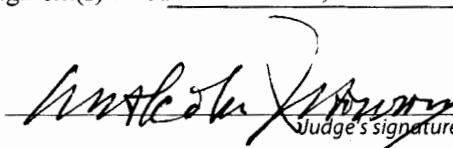
If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

*(Complete Parts I and II of Page 2 when motion is granted)*

Except as otherwise provided, all provisions of the judgment(s) dated November 8, 2011 shall remain in effect. **IT IS SO ORDERED.**

Order Date:

12/18/14

  
Judge's signature

Effective Date: November 1, 2015  
(if different from order date)

Malcolm J. Howard, Senior U.S. District Judge  
Printed name and title